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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,380	03/24/2004	Tsutomu Matsui	040894-7014	3318
9629 7590 04/30/2007 MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			EXAMINER TRAN, THANG V	
			ART UNIT 2627	PAPER NUMBER
			MAIL DATE 04/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/807,380

Applicant(s)

MATSUI, TSUTOMU

Examiner

Thang V. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/26/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The allowability of claims 1-6 previously indicated is hereby withdrawn in view of the newly discovered reference(s) to Jeong (US 6,829,202) and Suzuki (JP 63-259842) cited by Applicant. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Jeong (US 6,829,202).

Regarding claim 1, Jeong, according to Figs. 1-7, discloses including an objective lens driving device (an optical pick-up actuator) for an optical head, comprising: a lens holder (10) that holds an objective lens, the lens holder having a front face, a back face, side faces and a lower face; and a base part (50) on which the lens holder (10) is provided; wherein the lens holder (10) comprises: tracking coils (13) formed of square type flat coils of the same size, one pair of the tracking coils arranged on a front face side of the lens holder and another pair of the tracking coils arranged on a back face side of the lens holder respectively in a direction perpendicular to a focus direction with an interval there between and connected in series (see Fig. 2); a focusing coil (12) that is wound around the front face, the back face and the side faces of the lens holder in a direction perpendicular to the focus direction(see Fig. 2); first and a

second wires (30) arranged on one side face of the lens holder to support the lens holder, and adapted to supply control currents to the tracking coils (see column 2, lines 17-20); third and a fourth wires (30) arranged on another side face of the lens holder to support the lens holder, and adapted to supply control current to the focusing coil (see column 2, lines 17-20); and a pair of movable magnets (20) for correcting a tilt angle, the pair of movable magnets disposed on the lower face of the lens holder at positions adjacent to both right and left ends thereof (see Figs. 3-7); wherein the base part (50) comprises: a pair of fixed magnets (53) arranged so as to be opposed to the tracking coils and the focusing coil of the lens holder to thereby act thereon; a pair of right and left tilt angle correcting coils (52) for correcting the tilt angle which are connected in series and arranged so as to be respectively opposed to the movable magnets to thereby act thereon; and power supply lines (inherently included) for supplying control currents to the tilt angle correcting coils; and wherein a driving amount in a track direction is controlled by the control currents supplied by way of the first wire and the second wire, a driving amount in the focus direction is controlled by the control currents supplied by way of the third wire and the fourth wire, and a driving amount in the tilt angle direction is controlled by the control currents supplied by way of the power supply lines (see Figs. 1 and 2).

Regarding claim 2, see the rejection applied to claim 1.

Regarding claim 3, see Fig. 3, 6 and 7 where magnets 20 are fixed to the lower face of the lens holder at positions adjacent to both right and left ends thereof.

Regarding claim 4, see Fig. 2 which shows a plurality of the tracking coils (13) are provided on a front face side and a back face side of the lens holder respectively; and wherein the

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focusing coil (12) is wound around an outer peripheral face of the lens holder in a direction perpendicular to the focus direction.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jeong (US 6, 829,202) in view of Suzuki (JP 63-259842) cited by Applicant.

Jeong, according to Figs. 1-7, shows all limitations of the instant claimed invention (see the rejection above) except for the use of the structural arrangement of tracking coils and focusing coils and a fixed magnet as particularly recited in claims 5 and 6. In the same field of invention, Suzuki, according to Figs. 1-6, teach that the actuator with a focusing coil wound around a lens holder and a pair of tracking coils formed opposite to a magnet as shown in Fig. 6 can be modified to an actuator including one tracking coil and one focusing coil are adjacently disposed on a side of the lens holder and fixed magnet has a first portion in which the S pole and the N pole or the N pole and the S pole are arranged at both sides of a first boundary line extending in a direction perpendicular of the focus direction at a position opposed to the tracking coil, and a second portion in which the S pole and the N pole or the N pole and the S pole are arranged at both sides of a second boundary line extending in the focus direction at a position opposed to the focusing coil, and the adjacent same poles in the first portion and the second portion are formed of integral ferromagnetic material which has been magnetized so as to form a

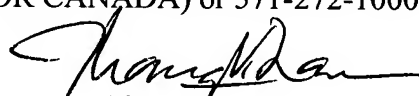
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single magnetic area, as shown in Fig. 2 or 3, in order to make the actuator light and more compact. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the tracking coils, the focusing coils and the magnets of the actuator of Jeong based on the teaching of Suzuki as shown in Figs. 2 and 3 in order to make the actuator light and more compact. See tracking coil and focusing coil positioned related boundary lines as shown Fig. 2 of Suzuki for limitations further recited in claim 6.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang V. Tran whose telephone number is (571) 272-7595. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Hoa can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thang V. Tran
Primary Examiner
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